

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Beckley

Date: 10/21/2011

Case Number 5:11-cr-38

Case Style: USA vs. Hughie Elbert Stover

Type of hearing Voir Dire / Jury Selection

Before the honorable: 2516-Berger

Court Reporter Lisa Cook

Courtroom Deputy Kierstin Tudor

Attorney(s) for the Plaintiff or Government Blaire Malkin, Larry Ellis, & Philip Wright

Attorney(s) for the Defendant(s) William Wilmoth & William OBrien

Law Clerk Matt Delligatti

Probation Officer

Trial Time

Jury Selection with trial to start on 10/24/11

Non-Trial Time

Court Time

10:15 am to 11:50 am

9:58 am to 10:07 am

12:21 pm to 1:35 pm

1:54 pm to 2:31 pm

Total Court Time: 3 Hours 35 Minutes Court actively conducting trial proceedings/Contested proceedings

Courtroom Notes

Scheduled Start 10:00 a.m.

Actual Start 9:58 a.m.

Parties present for voir dire/jury selection.

Defendant present in person and by counsel.

Counsel note appearances on the record.

Court goes over preliminary matters with counsel.

Court takes recess at 10:07 a.m.

Court resumed at 10:15 a.m.

53 jurors present (see Judge's List).

31 jurors called into the jury box (see Judge's List).

Jurors given oath on voir dire.

Court goes over voir dire questions with jurors.

Jurors 19, 20, 22, 26 & 27 excused for cause; replaced by Jurors 32, 33, 34, 35 & 36.

Juror 32 excused for cause; replaced with Juror 37.

Juror 3 excused for cause; replaced with Juror 38.

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Court takes recess at 11:50 a.m.

Court resumed at 12:21 p.m.

Juror 7 excused for cause; replaced by Juror 39.

Voir dire continues.

Juror 23 excused for cause; replaced by Juror 40.

Juror 40 excused for cause; replaced by Juror 41.

Juror 41 excused for cause; replaced by Juror 42.

Juror 42 excused for cause; replaced by Juror 43.

Juror 43 excused for cause; replaced by Juror 44.

Court takes recess at 1:35 p.m.

Court resumed at 1:54 p.m.

Counsel make strikes.

Stricken jurors excused.

Jury of 13 (including 1 alternate) seated to try issue.

Court gives additional instructions to jury.

Jury excused.

Court addresses additional matters with counsel.

Court recessed at 2:31 p.m.

Jury Utilization Summary:

53 jurors reported

13 jurors excused for cause

18 jurors struck by counsel

13 jurors seated

9 jurors unused